

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL ACTION
)	
1. WILGEN ANIBAL BRITO-MELO ,)	NO. 05-10227-PBS
)	
Defendant)	
_____)	

MOTION TO EXTEND (BY ONE DAY) FILING DATE FOR
GOVERNMENT'S OPPOSITION, AND TO FILE AN OVERLONG BRIEF

The United States of America, by its attorneys Michael J. Sullivan, United States Attorney, and Neil J. Gallagher and Rachel E. Hershfang, Assistant United States Attorneys, hereby move to continue the date for response to the motion to suppress filed by defendant Wilgen Anibal Brito-Melo ("Brito-Melo") in the above-captioned case, currently scheduled for today, May 31, 2006, by one calendar day, to June 1, 2006. The government also seeks the Court's permission to file a brief in excess of 20 pages.

In support of this motion, the government states as follows:

1. Brito-Melo has filed two briefs in support of his motion, raising numerous issues of Fourth Amendment law. By his motion, he challenges the stop of a car, the search of two cars, and the searches of two pieces of real property.

2. In total, Brito-Melo's memoranda come to 27 pages.

3. The government has endeavored to respond in a timely and

succinct manner to Brito-Melo's many claims. However, in order to address the issues in a comprehensive manner, so as to be of the greatest help to the Court, the government requests an additional day in which to respond. Similarly, although every attempt will be made to respond as briefly as possible, more than 20 pages will be required to respond adequately to Brito-Melo's many claims.

Accordingly, the government respectfully requests an additional day (until June 1, 2006) in which to file its opposition, and leave of Court to file an overlong brief.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Rachel E. Hershfang
NEIL J. GALLAGHER
RACHEL E. HERSHFANG
Assistant U.S. Attorneys
(617) 748-3397/-3249

Dated: May 31, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon counsel of record, by electronic filing, a copy of the foregoing document.

This 31st day of May, 2006.

/s/ Rachel E. Hershfang
Rachel E. Hershfang
ASSISTANT UNITED STATES ATTORNEY